

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions
UPD 05/02/16

Main Index:

<u>Defining a Committee</u>	2
<u>Establishing a Committee</u>	3
<u>Where to Report</u>	6
<u>Maintaining and Terminating a Committee</u>	7
<u>Reporting/Filing Deadlines</u>	9
<u>Electronic Filing</u>	10
<u>Reporting Requirements – General</u>	11
<u>Reporting Requirements – Contributions</u>	13
<u>Reporting Requirements – Expenditures</u>	16
<u>Reporting Requirements-Reimbursements</u>	19
<u>Reporting Penalties</u>	20
<u>Campaign Campaign Finance Committee</u>	20
<u>Candidate Campaign Finance Committee</u>	21
<u>Continuing Campaign Finance Committees (Political Action Committee/(PAC)</u>	23
<u>Debt Service Campaign Finance Committee</u>	24
<u>Political Party Campaign Finance Committee</u>	24
<u>Federal Political Action Committees (PACS)</u>	25
<u>Contribution Limits</u>	25
<u>Campaign Materials Identification Requirements</u>	25
<u>Performing Online Searches</u>	27
<u>Miscellaneous</u>	28
<u>Federal Election Commission & FCC</u>	28

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

Defining a Committee

1. **Question:** What is a committee? (Section 130.011(9) RSMo)

Answer: A person or any combination of persons accepting contributions or spending money, and the money spent/received exceeds certain dollar amounts, for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against:

- ✓ The nomination or election to public office of one or more candidates *or*
- ✓ The qualification, passage or defeat of any ballot measure *or*
- ✓ For the purpose of paying a previous campaign debt or obligation of a candidate or committee *or*
- ✓ For the purpose of contributing funds to another committee.

2. **Question:** What kind of committee am I? (Section 130.011 RSMo)

Answer: The following table describes each type of committee defined in state law.

Committee Type	Description
Campaign Committee	Formed to support/oppose a ballot measure(s) or for the retention of judges under the nonpartisan court plan, for a specific election.
Candidate Committee	Formed by a single candidate for office, for a specific election. Contributions received are used in the specific election to support the candidacy. The candidate may have only one candidate committee per office sought.
Continuing Committee (Political Action Committee or PAC)	May participate in any election/ballot issue at any date and any time and remain in existence beyond any one election/ballot issue. Is formed, controlled, and directed by someone other than a candidate.
Debt Service Committee	Formed to retire a candidate committee's debt as reported on the 30 Day-After Campaign Finance report. May stay in existence no more than 18 months after forming.
Exploratory Committee	Formed by an individual to receive and spend money in determining whether the individual will seek public office.
Political Party Committee	Formed with the primary or incidental purpose of receiving contributions and making expenditures to influence voter's actions on behalf of the political party.

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

Establishing a Committee

1. **Question:** What are the steps taken to form a committee?

Answer: Take the following steps:

1. Identify the purpose of the committee
2. Identify the type of committee (See question #2 under [Defining a Committee](#) for more information)
3. Identify the dates established in statute for forming a committee (See question #3 under [Establishing a Committee](#) for more information)
4. Appoint officers (See question #14 under [Establishing a Committee](#) for officer requirements)
5. Open a bank account (See questions #8 and #9 under [Establishing a Committee](#) for bank account requirements)
6. File a Statement of Committee Organization with the Missouri Ethics Commission and/or your local election authority (if required) (See question #5, #6, & #7 under [Establishing a Committee](#) for filing requirements)

2. **Question:** Is there a certain dollar amount that can be received or spent before being required to form and register as a campaign finance committee? (Section 130.011(9) RSMo)

Answer: Yes, a person or combination of persons that accept contributions or make expenditures for the purpose of influencing or attempting to influence the action of votes and the amount received or spent exceeds specific dollar thresholds does meet the definition of committee and requires the forming and registering of a campaign finance committee. See [When to Form & Register a Committee](#) brochure to identify your specific requirements.

NOTE: Non-committee expenditure reports may be required. Section 130.047 RSMo, requires that any person not meeting the definition of a committee and making expenditures totaling (aggregating) over \$500 in support or opposition to a candidate/ballot measure to file a non-committee expenditure report.

3. **Question:** What is the last day a committee can be formed:

Answer: Based on the committee type, use the table below.

Committee Type	Committee Deadline Dates for Forming
Campaign Committee	At least 30 days prior to the election date
Candidate Committee	At least 30 days prior to the election date
Continuing Committee (Political Action Committee or PAC)	At least 60 days prior to the election date
Exploratory Committee	Prior to December 31st of the year in which the office being explored is voted on
Political Party	No time frame; it may only be formed by the elected members of that district's political party as defined in 115.603 RSMo

4. **Question:** Is there information available about forming a committee?

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

Answer: Yes, on the Missouri Ethics Commission's website, www.mec.mo.gov, you can view the [Forming a Committee Tutorial](#), as well as access other Campaign Finance publications and brochures, particularly the [When to Form & Register a Committee](#) brochure.

5. **Question:** Does the Missouri Ethics Commission charge a fee to form & register a committee?

Answer: No, the Missouri Ethics Commission does not charge a filing fee for forming and/or registering a committee when filing a Statement of Committee Organization.

6. **Question:** Once a committee is formed, what forms must be filed to register the committee and where can they be found? (Section 130.021.5 RSMo)

Answer: Once formed, a committee is registered by filing a Statement of Committee of Organization. This form is filed with the Missouri Ethics Commission, local election authority, or both, within 20 days of forming a committee. (See [Establishing a Committee](#) section for more information on filing requirements). The form can be obtained on the Missouri Ethics Commission's website in the [Campaign Finance Committee Registration Packet](#) or from the local election authority.

7. **Question:** What information is required on the Statement of Committee Organization? (Section 130.021 RSMo)

Answer: State law requires the following for a Statement of Committee Organization:

1. Committee name, mailing address & telephone number; if candidate committee, the candidate's last name is required
2. Type of committee
3. Name, mailing address and phone number of Treasurer and Deputy Treasurer (if one appointed)
4. Name, mailing address and title of any other committee officers
5. Name and mailing address of connected organization, if affiliation exists
6. Designation of other candidate committee, if one exists
7. Bank name and mailing address (see bank account information listed below for further information), bank account name and bank account number
8. Candidate supported or opposed: Include candidate's name, mailing address and phone number, election date, office sought, political subdivision, political party and if supporting or opposing
9. Ballot measure supported or opposed: Include name of ballot measure, election, date, political subdivision and if supporting or opposing
10. Signature of treasurer required for all committees and, in addition,, signature of candidate required if candidate committee

8. **Question:** Must a committee have a bank account? (Section 130.021.4 RSMo)

Answer: Yes, every committee must have a single official fund depository within Missouri. The official fund depository is the committee's bank account.

9. **Question:** What are the requirements for a committee's official fund depository (committee bank account)? (Section 130.021.4 RSMo)

Answer: The requirements for a committee's bank account include:

- Bank account name must be held in the same name as the committee's registered name
- One official bank account with a federal or state-chartered bank, savings and loan association, or credit union within Missouri
- Must be a negotiable draft type of account

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

- Bank must be able to provide record of deposits, cancelled checks and any other account activity
 - Signatories on the account are to be the Treasurer and/or Deputy Treasurer (if one appointed), and candidate (if candidate committee); all moneys received and spent must be made through the signatories
 - Committee funds cannot be comingled with any other funds or any other bank account that has non-committee funds. Only committee funds can be deposited in and spent from the established official bank account
 - Bank account must remain open for the life of the committee and closed only upon termination of the committee (maintain account so that it is not closed by bank due to overdrafts, service charges or account inactivity).
10. **Question:** Can anyone, other than the treasurer or deputy treasurer, make deposits and/or expenditures on behalf of a committee through the committee's bank account? (Section 130.021.4 RSMo)
- Answer:** No, no other individual (except candidate, if candidate committee) can be authorized to act on a committee's behalf to make deposits or expenditures through the committee's bank account other than the treasurer or deputy treasurer.
11. **Question:** When does a Statement of Committee Organization have to be filed once a committee has been formed? (Section 130.021.5 RSMo)
- Answer:** The Statement of Committee Organization must be filed within 20 days after the person or organization becomes (forms) a committee *and* no later than the due date for filing the first required report.
12. **Question:** Can a Statement of Committee Organization be faxed to the Commission or filed electronically? (Section 130.021.9 RSMo)
- Answer:** No, the statement must be signed and attested by the committee treasurer (or deputy treasurer, if one appointed), and candidate (in the case of a candidate committee) and must contain original signature(s).
13. **Question:** What is the MECID# and how is it assigned?
- Answer:** After receipt of a Statement of Committee Organization and Electronic Filing Agreement (if required), the Commission assigns the committee an identification number (MECID#). The MECID# is sent to the committee treasurer via the email address provided.
14. **Question:** What are the requirements for a treasurer and deputy treasurer?
- Answer:** Every committee must have a treasurer. A committee may also have a deputy treasurer, to serve in the capacity of committee treasurer in the event the treasurer is unable for any reason to perform the treasurer's duties. Both the treasurer and deputy treasurer (if one appointed) must be a resident of Missouri; must reside in the candidate's district (if candidate committee) or any county which contains a portion of that district (MEC Advisory Opinion 2008-10.CF.009). (130.021.1 RSMo)

A candidate may appoint himself or herself as the committee's treasurer and be a committee of one. (130.021.2 RSMo)

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

Where to Report

1. **Question:** Where can a committee get forms for registering a committee and/or filing campaign finance disclosure reports?
Answer: Forms are available online ([Candidates/Committees, Forms](#)) or from your local election authority. Every campaign finance committee required to file reports with the Missouri Ethics Commission files their reports electronically by logging in to and using the Commission's Campaign Finance Reporting System.

2. **Question:** How does a committee know where to file?
Answer: The type of ballot measure, office sought or committee type determines where the committee is registered and where reports are filed (§130.026 RSMo). Refer to the following table:

Type	Where to register/file reports
MEC Filers Candidate for statewide office Statewide ballot measure (ex: campaign committee) Statewide political party committee	MEC (Missouri Ethics Commission)
Dual Filers: Candidate for: <ul style="list-style-type: none"> ▪ State Representative ▪ State Senator ▪ County Clerk ▪ Other county office in county with population over 100,000 ▪ City municipal office in city with population over 100,000 ▪ Partisan Circuit Court Judge ▪ Partisan Associate Circuit Court Judge Continuing committee (political action committee/PAC) Local political party committee	MEC & Local Election Authority (County Clerk or Board of Election Commissioners)
Local Filers: Candidate for: <ul style="list-style-type: none"> ▪ School, fire, ambulance, or other special purpose district ▪ City municipal office in city with population of 100,000 or less ▪ County office in county with population of 100,000 or less (except County Clerk) Local ballot measure (ex: campaign committee)	Local Election Authority (County Clerk or Board of Election Commissioners)

NOTE: *MEC Filers* and *Dual Filers* establish their e-filing account (Electronic Filing Agreement) when registering the committee and from that point on must file their disclosure reports electronically. *Local Filers* that choose to file electronically using the Commission's e-filing

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

system must establish their e-filing account with MEC (Electronic Filing Agreement) when registering the committee and from that point on file their disclosure reports electronically.

3. **Question:** Does a candidate, running for local office, need to file campaign finance committee reports with the Missouri Ethics Commission?

Answer: Local filers can file their reports on paper with their local election authority. Local Filers that choose to file electronically using the Commission's e-filing system must establish their e-filing account with MEC (Electronic Filing Agreement) when registering the committee and from that point on file their disclosure reports electronically. See Question #2 above.

4. **Question:** Do committees file campaign finance committee reports with the Missouri Ethics Commission for local ballot issues?

Answer: Committees formed for local ballot issues are considered local filers and as such, can file their reports on paper with their local election authority. Campaign committees that choose to file electronically using the Commission's e-filing system must establish their e-filing account with MEC (Electronic Filing Agreement) when registering the committee and from that point on file their disclosure reports electronically. See Question #2 above.

NOTE: Committees supporting or opposing statewide ballot issues file their campaign finance committee reports with the Missouri Ethics Commission.

5. **Question:** How does a campaign finance committee file their reports with the Missouri Ethics Commission? (Section 130.031.16 RSMo)

Answer: The Commission provides an electronic filing system for all reporting done with the Commission. A committee must file a Statement of Committee Organization form with all filing entities along with an Electronic Filing Agreement (if required) with MEC to obtain a MEC ID# and password, found in [Committee Registration Packet](#). More information about our electronic filing system may be found on our website at [Electronic Filing Help](#).

Maintaining and Terminating a Committee

1. **Question:** What account records must be maintained by a candidate, treasurer, or deputy treasurer? (Section 130.036 RSMo)

Answer: All records pertaining to and documenting the committee's and/or candidate's activity must be maintained and must:

- Be accurate and up-to-date
- Begin when first become a candidate (130.011 RSMo) or committee
- Follow accepted normal bookkeeping procedures containing the bills, receipts, deposit records, canceled checks and other detailed information necessary to prepare and substantiate any statement or report required to be filed.
- Preserve, for at least three years after the date of the election, or last report, to which the records pertain, all records and accounts of receipts and expenditures
- Preserve, for at least three years after the date of the report the records pertain to, records and accounts for supplemental disclosure reports or reports not required pursuant to an election
- Be available for inspection by the Missouri Ethics Commission

2. **Question:** How does a successful candidate accept contributions for a future election? (Sections 130.011, 130.021.7, & 130.034 RSMo)

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

Answer: Prior to accepting any new contributions, the treasurer must submit an Amended Statement of Committee Organization, amending the candidate's election date, office sought, and political subdivision. The candidate and treasurer must sign the Amended Statement and remit the original to the Missouri Ethics Commission and to their local election authority (if required).

3. **Question:** How are changes to committee information such as addresses, phone numbers, and bank accounts reported? (Section 130.021.7, RSMo)

Answer: An Amended Statement of Committee Organization must be filed when required information changes. The amended statement must be filed within 20 days of the change, but no later than the date of the filing of the next report required to be filed by that committee. The treasurer and candidate (for a candidate committee) must sign the form. The Amended Statement must contain original signatures and can be mailed or hand delivered to the Missouri Ethics Commission and the local election authority (if required).

4. **Question:** How can a campaign finance committee change a Treasurer or Deputy Treasurer?

Answer: The new Treasurer/Deputy Treasurer must do the following:

- Submit an Amended Statement of Committee Organization reflecting the change in the treasurer/deputy treasurer
- Sign the Amended Statement
- File the original (with signatures) with the Missouri Ethics Commission and the local election authority (if required).

To electronically file campaign finance reports, the new Treasurer must also submit an:

- Amended Statement of Committee Organization with all filing entities; and
- Amended Electronic Filing Agreement with Missouri Ethics Commission.

NOTE: The committee's password will be reset automatically when a new treasurer is designated for any committee.

5. **Question:** How can I terminate my committee? (Section 130.021.8, RSMo)

Answer: Upon termination of a campaign finance committee, a Termination Statement (CD-3) indicating dissolution must be filed, within ten (10) days after the dissolution date, with the Missouri Ethics Commission or the local election authority (if your committee is only required to file locally). A full disclosure report is required to be filed at the time of termination.

For more information about terminating a committee, view the [Terminating a Committee](#) brochure.

6. **Question:** I'm ready to terminate my committee, what can I do with the surplus funds? (Section 130.034 RSMo)

Answer: Contributions may be used for any purpose allowed by law, see §130.034 for full statute, however, the most common methods for distributing surplus funds include making a contribution to another candidate or committee or by making a donation to a charity. For more information about allowable uses of contributions, view the [Terminating a Committee](#) brochure.

Reporting/Filing Deadlines

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

1. **Question:** How does a committee know their filing deadlines?

Answer: [Reporting calendars](#) can be found on our website (under [Candidate and Committee Resources](#)>Publications). All committees must file a quarterly report no later than the 15th day following the close of each calendar quarter. These quarters are January 15th, April 15th, July 15th and October 15th.

Examples of other reports that are required include:

- ✓ Those due before or after an election
- ✓ When receiving a contribution over \$5,000, including loans. (See §130.011 RSMo for full definition of contribution.)

2. **Question:** What are the reporting dates for continuing committees (political action committees or PACS) that are not participating in an election?

Answer: Continuing committees (political action committees or PACS) must report quarterly regardless of their involvement in an election. If participating in an election, view [Reporting calendars](#) on the Missouri Ethics Commission's website.

*NOTE: **Any committee**, within 48 hours of receiving any contribution, including loans, (see Section 130.011 RSMo, for full definition of contribution) from a contributor **over \$5,000** must electronically report the contribution to the Missouri Ethics Commission at www.mec.mo.gov.*

3. **Question:** When are quarterly campaign finance reports due? (Section 130.046 RSMo)

Answer: Quarterly reports are due January 15th, April 15th, July 15th, and October 15th of each year. For more information, [reporting calendars](#) can be found on the Missouri Ethics Commission's website.

4. **Question:** What dates are covered in a committee's campaign finance reports? (Section 130.041 RSMo)

Answer: The beginning date of a campaign finance disclosure report begins the day after the closing date of the last previously filed disclosure report (or the date the Statement of Committee Organization was filed) and continues through the closing date for the specific report being filed (do not double report activity by including it on more than one report). See the reporting calendars for the closing date for each report. [Reporting calendars](#) can be found for each election reporting period and the quarterly reports on the Missouri Ethics Commission's website.

5. **Question:** Is there a deadline for campaign finance disclosure reports to be filed?

Answer: Yes, campaign finance disclosure reports must be filed with the appropriate filing officer not later than 5:00 p.m. on the due date. If the campaign finance committee files locally, a filing that is mailed must have a postmark of the day before the due date.

If the due date for filing a report falls on a Saturday, Sunday or an official holiday, the due date is extended to 5:00 pm on the next business day (this does not apply to reports required to be filed after the 8 Day Before Election Report (ie: Late Expenditure Report, 48 Hour Report of Contribution over \$5,000, or Late Contribution Report).

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

Electronic Filing

1. **Question:** What types of reports can be electronically filed with the Missouri Ethics Commission? (Section 130.031.16 RSMo)

Answer: All **disclosure reports** can be filed electronically with the Commission.

The following **forms**, *Statement of Committee Organization* , and the *Electronic Filing Agreement* **cannot be filed electronically** with the Commission (see question # 4 below).

2. **Question:** Who can electronically file campaign finance reports with the Missouri Ethics Commission? (Section 130.031.16 RSMo)

Answer: Candidates for state representative, state senator and for statewide elected office must file electronically with the Missouri Ethics Commission. All other campaign finance committees required to file with the Missouri Ethics Commission should also file electronically.

If your campaign finance committee is only required to file reports locally, you have the option of filing on paper with your local election authority or e-filing your reports using the Missouri Ethics Commission's electronic filing system.

The necessary forms to establish electronic filing with the Missouri Ethics Commission are available on the Commission's website or obtained from the local election authority. Once the forms are completed and returned to the Missouri Ethics Commission, the committee will be assigned an MECID# and Password for electronic filing.

3. **Question:** Can a committee report their committee organization with the Missouri Ethics Commission electronically? (Section 130.021.9 RSMo)

Answer: No, the Statement of Committee Organization must be signed and attested to by the committee treasurer (or deputy treasurer, if one appointed), and candidate (if a candidate committee). The statement must be mailed or hand delivered to the Missouri Ethics Commission with original signatures.

4. **Question:** Once a Statement of Committee Organization is filed, can committee information be amended or changed online?

Answer: No, an Amended Statement of Committee Organization must be filed by paper. The treasurer and/or candidate (in the case of a candidate committee) must sign the form. The Amended Statement must contain original signatures and can be mailed or hand delivered to the Missouri Ethics Commission.

5. **Question:** How does a committee sign up to electronically file their campaign finance disclosure reports with the Missouri Ethics Commission?

Answer: Review instructions and complete the [Committee Registration Packet](#) found on our website.

6. **Question:** Can an Electronic Filing Agreement to set up electronic filing be faxed to the Missouri Ethics Commission?

Answer: Yes, an Electronic Filing agreement may be faxed. The committee's e-mail address, the candidate's, treasurer's or deputy treasurer's name, title and signature is required to process the application. The treasurer information on the Electronic Filing Agreement must match the treasurer information supplied on the Statement of Committee Organization .

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

7. **Question:** How does a committee receive a password for electronic filing?
Answer: After a committee has submitted the request, the Missouri Ethics Commission establishes a password. The password is emailed to the email address provided. At any time, a request can be made for the password to be sent to the e-mail on file for electronic filing. The Missouri Ethics Commission cannot give a password over the telephone.
8. **Question:** Can a committee's email address that is on file with the Missouri Ethics Commission be changed online?
Answer: No, an amended Electronic Filing Agreement with the changed e-mail address must be mailed, faxed or hand delivered to the Missouri Ethics Commission.
9. **Question:** Can a committee that files electronically terminate their committee electronically?
Answer: Yes, a termination report can be electronically filed; a full campaign finance disclosure report is also required to be filed at the time of termination.
10. **Question:** Can a committee that files electronically also file 24 Hour Notices of Late Contributions/Loans Received electronically?
Answer: Yes, 24 Hour Notices of Late Contributions/Loans Received can be filed electronically.

Reporting Requirements - General

1. **Question:** How does a campaign finance committee know what types of reports are required to be filed? (Section 130.046 RSMo)
Answer: State law includes several campaign finance reporting period requirements as well as those based on participation in elections; refer to the [reporting calendars](#) on the Missouri Ethics Commission's website for more information.
2. **Question:** When does a campaign finance committee file limited activity campaign finance reports instead of full disclosure campaign finance reports? (Section 130.046.5(2) RSMo)
Answer: A campaign finance committee **can** file a limited activity campaign finance report, instead of a full disclosure campaign finance report:
1. If contributions received are \$500 or less since the last full disclosure report was filed;
 2. If expenditures made are \$500 or less since the last full disclosure report was filed;
 3. If no single contributor has contributed more than \$300 during the reporting period.

*NOTE: The campaign finance committee **must** report the contributions/expenditures on the next full disclosure report filed by the committee.*

A Statement of Limited Activity **cannot** be filed instead of a full disclosure campaign finance report:

1. For two (2) or more consecutive reporting periods when the total contributions received or expenditures made since the last filed full disclosure report are over \$500;
2. For the *30 Day After Election* report if it has a deficit (debt) of more than \$5,000;
3. For any report filed after the *30 Day After Election* report, if the committee has a deficit (debt) of more than \$1,000.

The Missouri Ethics Commission recommends every campaign finance committee file at least one full disclosure report annually.

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

For more information about filing a Statement of Limited Activity Report, view the [Statement of Limited Activity](#) brochure.

3. **Question:** Do all candidates have to form a committee and register it by filing a Statement of Committee Organization with the Missouri Ethics Commission and/or their local election authority? (Section 130.016 RSMo)
Answer: The type of office a candidate is running for, the amount of money accepted (contributions) and the amount of money spent (expenditures) determines a candidate's level of reporting. See [When to Form & Register a Committee](#) brochure for more information.

4. **Question:** Is a candidate's use of their own money used in the dollar thresholds for forming and registering a campaign finance committee? (Section 130.011 RSMo)
Answer: Yes, the law includes a 'candidates own money' in the definition of campaign finance contribution. These amounts must be used in determining whether the dollar thresholds for contributions received and expenditures made have been met for forming a campaign finance committee *and* also must be reported on the committee's campaign finance reports.

EXCEPTION: A candidate spending their own money (that is not reimbursed in some manner) on their own **food, lodging, travel or payment of a filing fee** for public office *is not* a campaign finance contribution. This money is not included when determining whether the dollar thresholds have been met for forming a campaign finance committee and is not required to be reported on the committee's campaign finance reports.

Refer to the following chart:

Money Used	Campaign Finance	Misc.
Candidate's own money spent for own food, lodging, travel or filing fee for office	1. Not considered in determining the need to register a committee 2. Not required to be reported	Candidate can choose not to include these costs in the campaign, as long as he/she is not reimbursed in any manner
Candidate's own money spent on other items (i.e. refreshments, postage, supplies, etc.)	1. Is considered in determining the need to register a committee 2. Report in campaign finance reports (in-kind contribution)	

5. **Question:** When a candidate is required to form and register a candidate campaign finance committee and they previously had filed a Statement of Exemption, should they report all contributions and/or expenditures made before they met the dollar threshold requiring the filing of a Statement of Committee Organization?

Answer: Yes, if you are a candidate who:

- ✓ Previously filed a Statement of Exemption because you did not believe you would accept contributions and/or make expenditures over the dollar threshold established in law *and*

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

- ✓ Since that time you have received contributions and/or made expenditures (or wish to) over the dollar threshold established in law

You must:

- ✓ File a Statement of Rejection along with a Statement of Committee Organization , *no later than 30 days before the election*
- ✓ File all required campaign finance reports that would have been required if the candidate had not filed a Statement of Exemption *and*
- ✓ Report all contributions received and/or expenditures made, including those received/spent before filing the Statement of Committee Organization

6. Question: Committees are required to file a Statement of Committee Organization after having met specific dollar thresholds (contributions received and/or expenditures made). Should a committee report on their first full campaign finance disclosure report, those contributions that were received and/or expenditures that were made *before* the committee met the monetary threshold and filed the Statement of Committee Organization ?

Answer: Yes, in the interest of full disclosure and transparency it is recommended the committee report these contributions received and/or expenditures made on their first full campaign finance disclosure report.

7. Question: If a candidate wants to give money to their campaign finance committee as a loan, with the intent to repay the loan, how is the loan reported?

Answer: The campaign finance committee should report the money, on their campaign finance disclosure report, as a loan received. The name and address of the lender, date the loan was received, and the dollar amount of the loan should be recorded. If the loan is over \$100, additional information is required. The loan shows as a debt the entire time the loan is carried through the campaign until it is paid back to the candidate.

At the end of the campaign, one of the following could be done:

- ✓ Committee Repays Loan to Candidate: The repayment is reported in the candidate's campaign finance disclosure report as a payment made on a loan; **or**
- ✓ Loan is Forgiven: The loan can be forgiven by the lender. If the loan is forgiven upon termination of the committee, on the Termination Statement the candidate would describe the disposal of debt as forgiven by candidate (obtain a signed statement from the lender for record-keeping); **or**
- ✓ Convert to Debt Service Campaign Finance Committee: To raise money for repayment of the loan (See [Debt Service Committee](#) section for more information).

Reporting Requirements – Contributions

1. **Question:** Do campaign finance contribution limits exist in Missouri?

Answer: No, there are no campaign finance contribution limits in Missouri law. However, some local municipalities have enacted contribution limits and a candidate should check with their local jurisdiction for any such restrictions in local ordinance or local law.

2. **Question:** What information must be received and maintained when a campaign finance committee receives a contribution? (Sections 130.036, 130.041, 130.110, 130.120 RSMo)

Answer: The campaign finance committee treasurer must maintain a listing, by name, address, and employer (if self-employed, indicate occupation; if retired, indicate retired) of each

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

contributor who made a contribution of money or anything of value (in-kind contribution) totaling over \$25. The date of receipt and amount of the contribution must also be maintained.

If the contributions were received at a fund raiser, the above information must be maintained for contributions over \$100; see the [Fund-Raising Event Held](#) brochure for further information and requirements.

3. **Question:** What is the difference between an anonymous contribution received and an anonymous contribution received through a fund-raiser? (Sections 130.031.6 130.036, 130.041, 130.110 RSMo)

Answer: Anonymous contributions are contributions received that are not identified to a specific individual or entity. The law allows anonymous contributions to be received by a campaign finance committee in an amount of \$25 or less per individual/entity/donor and total anonymous contributions received cannot exceed, for the entire calendar year, the greater of \$500 or 1% of the total amount of contributions received from that same calendar year.

Anonymous contributions received through a fund-raiser cannot exceed \$100 per individual/entity/donor and can only be received only through a qualified fund-raising event. See [Fund-Raising Event Held](#) brochure for more information.

4. **Question:** How does a campaign finance committee report anonymous contributions received and anonymous contributions received through a fund-raiser? (Sections 130.031.6 130.036, 130.041, 130.110 RSMo)

Answer:

E-filers: Anonymous contributions (not through a fund-raiser) are reported in the *Monetary and In-kind Contributions Received* section under non-itemized contributions. Anonymous contributions received through a fund-raiser are reported in the *Fund-Raising Events Held* section, along with other relevant information about the activity.

Paper filers: Anonymous contributions (not through a fund-raiser) are reported in the *Contributions and Loans Received* form under non-itemized contributions. Anonymous contributions received through a fund-raiser are reported in *Contributions and Loans Received* form under non-itemized contributions and in the *Fundraising Statement* form, along with other relevant information about the activity.

5. **Question:** What is an in-kind campaign finance contribution? (Section 130.011 RSMo)

Answer: In-kind campaign finance contributions are contributions made, in a form other than money, for the purpose of supporting or opposing a candidate or ballot measure. In-kind contributions are reported at their fair market value. Examples include, but aren't limited to: services, rent, or products provided without charge or at a reduced charge (below fair market value). See the referenced law for further definition (Contributions include gifts, loans, advances, donation of money or anything of value, etc.).

6. **Question:** What is a monetary campaign finance contribution? (Section 130.011 RSMo)

Answer: Monetary campaign finance contributions are all moneys contributed for the purpose of supporting or opposing a candidate or ballot measure. See the referenced law for further definition (Contributions include loans, advances, a candidate's own money used in support of the person's candidacy (with specific exceptions noted in the law), etc.).

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

7. **Question:** Are there specific campaign finance reporting requirements for contributions over \$5,000? (Section 130.044 RSMo)

Answer: Yes, all individuals and campaign finance committees required to file campaign finance disclosure reports must electronically report any contribution by a single contributor, over \$5,000, to the Missouri Ethics Commission. The contribution must be reported to the Commission within 48 hours of receiving the contribution *and* included in the committee's next full campaign finance disclosure report. *NOTE: If receive contribution or loan over \$5,000 must register committee with the Missouri Ethics Commission and establish e-filing account, all within 48 hours of receipt of the contribution, in order to file 48 Hour Report of Contribution over \$5,000 report (includes local filers).*

Review §130.011 RSMo, for a complete definition of contributions (Contributions include a payment, gift, loan, advance, deposit, or donation of money or anything of value, etc.). Failure to file the campaign finance report within the required time frame will result in the assessment of a \$10 a day late fee.

8. **Question:** If I'm required to file a 48 Hour Report of Contribution over \$5,000 Report or a Late Contribution Report, do I have to include these same contributions in my next full disclosure report? (Sections 130.044, 130.050.3 RSMo)

Answer: Yes, if the committee receives a contribution that requires the filing of notice that such contribution was received, the committee must still include the contribution(s) in the next full disclosure report filed. At the time the initial report is filed it is essentially notice of the contributions received, actual disclosure of the contribution is met when itemized in the full disclosure report. Both of these required notices can be filed electronically.

9. **Question:** Can campaign finance contributions be given in any form? (Section 130.036, 130.041, 130.110 RSMo)

Answer: Contributions (including from a committee or candidate) must be provided in cash, check, money order, or other traceable manner (e.g. electronic money transfer). Regardless of form, all contributions must be deposited into the campaign finance committee's official bank account (fund depository). See [A Guide to Record-keeping](#) for more information.

The following restrictions exist for **cash** contributions:

- Cash contributions, from a single contributor, cannot be over \$100, per election cycle (candidates & candidate committees) or per election (all other committees)
- Cash contributions, between \$25 - \$100
 - Specific records must be maintained about the contributor
 - Campaign finance reports must reflect the contributor's name, address, & employer/occupation
- Cash contributions, received through a fund-raiser, see [Fund-Raising Event Held](#) for more information

10. **Question:** As a candidate, I am using signs from my candidacy from several years ago; are the use of these signs from my prior candidacy considered a contribution to my current candidacy?

Answer: Yes, signs originally used by a candidate from an election, other than a primary election immediately preceding a general election, are considered an in-kind contribution. Section 130.011(11) RSMo, defines contribution as anything of value for the purpose of supporting or

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

opposing any candidate. An in-kind contribution is defined as a contribution or expenditure in a form other than money. This in-kind contribution would be considered in the determination of whether a candidate has met the monetary thresholds established in law for forming a campaign finance committee.

11. **Question:** If a candidate uses signs both in a primary election and the subsequent general election, should the use of these signs in the general election be considered a campaign finance contribution?

Answer: No, the use of signs in the corresponding general election would not normally be considered a contribution and not considered in determining the monetary threshold for the requirement to form a campaign finance committee for the subsequent general election.

Reporting Requirements – Expenditures

1. **Question:** How does the law define campaign finance expenditures? (Section 130.011 RSMo; Advisory Op 2007.11.CF.013)

Answer: An expenditure is a payment, advance, conveyance, deposit, donation, or contribution of money or anything of value for the purpose of supporting or opposing a candidate or ballot measure. Expenditures should be reported at the time they are either made or incurred. The Missouri Ethics Commission has issued advisory opinions related to the reporting of credit card expenditures also.

The law provides specific examples of what campaign finance expenditures include and does not include.

2. **Question:** What is an incurred expenditure and how is it reported?

Answer: An incurred expenditure is an expenditure made during one reporting period but paid in another (even if the candidate or committee has received the good or service). You must record and report an incurred expenditure at the time the obligation to pay is made (which may be an estimated amount). Include the date and amount, name and address of person/company, and the purpose.

For example:

- Reporting Period 1 (Jan 1 – Mar 31):
 - An order for signs was made on Feb 26 for an estimated cost of \$500. Whether or not you received the signs, you did not pay for them by the end of the reporting period (Mar 31). This is reported as an incurred expenditure on the April Quarterly report. (Incurred expenditures show up as debt against the committee and do not reduce your money on hand.)
- Reporting Period 2 (Apr 1 – Jun 30):
 - On May 9, you received an invoice for the signs in the amount of \$542.00. You wrote a check from the committee bank account to the sign company for the full amount billed. This is reported as a paid expenditure in the amount of \$542.00 in the July Quarterly report. (This will decrease your money on hand.)
 - You must also remove the debt created by the incurred expenditure reported in the last reporting period. This is reported as a payment on previously reported

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

incurred expenditures in the amount of \$500 in the July Quarterly report. (This will decrease the committee's indebtedness.)

E-filers:

1. Report each incurred expenditure in the *Expenditures Made* section (in paid/incurred drop down, indicate 'incurred').
 2. When you are ready to actually pay the incurred expenditure, you will write a check for the full amount of the purchase and report in the *Expenditures Made* section (in paid/incurred drop down, indicate "paid").
 3. To remove the debt created by the incurred expenditure, report in the *Payments on Previously Reported Incurred Expenditures* section; include the amount previously reported (which may be the estimated amount), a brief description of the payment made and the payment method.
3. **Question:** When and how are expenditures made by a credit card required to be reported? (Advisory Opinion 2007.11.CF.013)
- Answer:** Report a listing of each actual expenditure made that was paid with the credit card. Include the actual payee (other than the credit card company), rather than the total due the credit card. The expenditures should be reported when incurred.

E-filers:

1. Report each expenditure paid with a credit card in the '*Expenditures Made*' section (mark as a paid with payment method of credit card). If itemizing, include each vendor & detail each expense. Expenditures paid with a credit card will show up as debt against the committee.
 2. Report payment to credit card company in '*Loans Made and Payments or Credits on Loans (including credit cards)*' section.
4. **Question:** What is an *Expenditure to Independent Contractor* and how is it reported? (Section 130.041.4 RSMo)
- Answer:** When funds are spent for professional services or for "consulting or consulting services, fees, or expenses", additional details must be reported about the expenditure, to include:
- ✓ Specific services provided (such as polling, research, direct mailing, broadcast media, computer programming or data entry, postage, rent or utilities)
 - ✓ Dollar amount spent for each service; if the consulting service or fee provided more than one type of service, the dollar amount of the expenditure should be prorated between the specific service descriptions.

Example: Your campaign finance committee paid a company \$1,000 for consulting services. The company sent an itemization of the services provided that included: direct mailings \$250, phone solicitation \$400 and fund-raising \$350.

E-filers: The expenditure is initially recorded in the *Expenditures Made* section for the total amount paid and then more detail given in the *Expenditure to Independent Contractor* section, reflecting the total amount paid and then identifying each type of service provided with the dollar amount attributed to each service pro-rated.

Paper filers: The expenditure is initially recorded in the *Expenditures & Contributions Made* form (CD3) for the total amount paid and then more detail given in the *Independent Contractor*

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

supplemental form (CD8), reflecting the total amount paid and then identifying each type of service provided with the dollar amount attributed to each service pro-rated.

5. **Question:** What is an *Expenditure Made to Support or Oppose a Candidate or Ballot Measure* and how is it reported? (Section 130.041.1(7) RSMo)

Answer: An expenditure that has been made, mostly by a continuing committee (political action committee/PAC), to support or oppose a candidate or ballot measure (no money was given to the candidate or campaign committee, the money was paid directly to the vendor).

NOTE: Does not include candidate committees making expenditures only on behalf of the candidate for which their committee was formed.

E-filers: The expenditure is initially recorded in the *Expenditures Made* section for the total amount paid and then more detail given in the *Expenditure Made to Support or Oppose a Candidate or Ballot Measure* section, reflecting the total amount paid and then providing more information about the candidate or ballot measure supported or opposed.

However, If the recipient has **coordination or consultation**, etc., they report as an In-kind Contribution received AND the maker reports as an Expenditure Made; Supplementing with Expenditure Made to Support/Oppose information AND as an In-Kind Contribution Made (Ex: PAC working with candidate to pay for/place advertisement in support of candidacy).

Paper filers: The expenditure is initially recorded in the *Expenditures & Contributions Made* form (CD-3) for the total amount paid and then more detail given in the *Independent Contractor* supplemental form (CD-8), reflecting the total amount paid and then then providing more information about the candidate or ballot measure supported or opposed.

However, If the recipient has **coordination or consultation**, etc., they report as an In-kind Contribution received AND the maker reports as an Expenditure Made; Supplementing with Expenditure Made to Support/Oppose information AND as an In-Kind Contribution Made (Ex: PAC working with candidate to pay for/place advertisement in support of candidacy).

6. **Question:** Are there restrictions on using cash out of a campaign finance committee? (Section 130.031.2 RSMo)

Answer: Yes, cash can only be used if from a petty cash fund. A single expenditure from a petty cash fund cannot exceed \$50. All payments from petty cash in a calendar year may not exceed the lesser of \$5,000 or 10% of all committee expenses in the calendar year. To replenish a petty cash fund, a check must be drawn from the official bank account, in an amount of no more than \$50, and made payable to cash. If using a petty cash fund, be sure and keep all receipts and documentation for cash activity and record each cash expenditure in a petty cash log.

Withdrawing cash from an ATM is considered cash and also prohibited beyond the \$50 per occurrence for petty cash.

By law, all payments and expenditures exceeding \$50 must be made from the campaign finance committee's official fund depository (bank account).

7. **Question:** Can late fees be paid using committee fees?

Answer: Yes, report as an expenditure made, payable to the Missouri Ethics Commission.

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

Reporting Requirements-Reimbursements

1. **Question:** Can individuals, including candidates, be reimbursed for expenses from a campaign finance committee? (Section 130.021.4, 130.011 RSMo)

Answer:

- A. Campaign finance committees should preplan and are required to pay for expenses directly rather than to reimburse someone. Examples include paying for an individual's meal, expenses before a parade, purchasing campaign supplies, etc. By law, all expenses must be made through the campaign finance committee's official bank account (fund depository).
1. Committee expenses can be paid by writing a check directly from the committee bank account *or* by using a committee debit card *or* committee credit card.
 2. *NOTE: when using a debit card, withdrawing money from an ATM is considered the use of cash and is prohibited except for through petty cash and cannot be over \$50 per expenditure.*
- B. Smaller items such as postage, parade expenses, candy, etc., can be paid for using a petty cash fund. By law, the use of petty cash cannot be over \$50 per expenditure.
- C. A candidate can be reimbursed, for the payment of their own food, lodging, travel, or filing fee and that is related to their candidacy, from the candidate's campaign finance committee.
- D. If reimbursement is unavoidable and still occurs:
1. All receipts must be retained in committee records (ex: if mileage is reimbursed, retain documentation of the actual miles traveled, date, and purpose);
 2. Expenditure is made from the official bank account to the individual.
 3. Purpose of expenditure must be specific to reimbursement (ex: Expenditure to Jane Dillon, \$12.42; Purpose: Dollar General – Parade Candy.

2. **Question:** Can I pay campaign workers and be reimbursed? (Section 130.041.1(4)(d) RSMo)

Answer: No, all payments to campaign workers must come directly from committee funds. Expenditures to campaign workers must be made directly from the campaign finance committee's official bank account (fund depository). Any cash payment to campaign workers is cause for investigation.

Committees must keep good records of all payments to campaign workers. Expenditures to campaign workers must be specifically itemized in campaign finance reports and include the name, address, date, amount and purpose of each payment along with the total (aggregate) amount paid to each worker. (Section 130.041.1(4)(d) RSMo) Committees cannot report campaign workers in a lump sum payment.

3. **Question:** If a candidate, other campaign finance committee member, or campaign worker uses their own vehicle or personal cell phone, at times, for campaign-related items can they be reimbursed for these costs? (Section 130.021.4 RSMo)

Answer: (See other questions related to reimbursements.) If a vehicle or cell phone is used solely for campaign-related purposes, these costs should be paid directly using a committee check, debit, or credit card and reimbursement should not occur. When a vehicle or cell phone is used for both personal and campaign-related purposes, the committee must make sure to maintain adequate records to support committee reimbursement for the actual

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

expenses that are campaign related; additional care should be taken to ensure reimbursements do not occur for personal usage.

4. **Question:** Can a candidate use their own money to support their candidacy, including their own food, lodging, and travel or filing fee? (Section 130.011(11), RSMo) Can a candidate be reimbursed from the campaign finance committee for their own food, lodging, travel, or filing fee?

Answer: Yes, a candidate can use their own money to support their candidacy; in addition, the candidate *can receive reimbursement* from their campaign finance candidate committee for these specific items. The campaign finance committee, when reimbursing the candidate for these specific expenses, must:

- a. Maintain all receipts in committee records (ex: if mileage is reimbursed, retain documentation of the actual miles traveled, date, and purpose)
- b. Reimburse the candidate from the committee's official bank account (fund depository)
- c. Report the expenditure's purpose specifically to the original expenditure (ex: Purpose: Reimburse Speaking Engagement Lodging – Hotel Name)

Reporting Penalties

1. **Question:** What penalties exist if a campaign finance report is filed after the due date? (Section 105.963 RSMo)

Answer: The law establishes, for filers required to file their reports with the Missouri Ethics Commission, a \$10 per day late fee (except for the 8 Day Before Election report assessed at \$100 per day for the first 8 days and \$10 per day thereafter).

2. **Question:** Are there penalties for knowingly filing a false or incomplete campaign finance report, or not filing a required campaign finance report at all? (Section 105.963, 130.072 RSMo)

Answer: For each day a campaign finance report is not filed, the filer would be subject to the daily late fee penalties established in law. In addition, the Missouri Ethics Commission could take an enforcement action related to the failure to file, including conducting an investigation. If a filer knowingly files a false, incomplete, or no campaign finance report at all, in addition to other penalties imposed by Chapter 130 RSMo, a person will be held liable to the state in civil penalties, in the amount equal to the contribution or expenditure when the person knowingly accepts or makes a contribution or expenditure in violation of Chapter 130, RSMo *or* the person knowingly conceals a contribution or expenditure by filing a false, incomplete, or no report.

NOTE: No person may file for office (§130.071.2 RSMo) until he/she or the treasurer of his/her existing candidate committee has filed all required campaign finance disclosure reports for all prior elections.

A successful candidate may not take office (§130.071.1 RSMo) until he/she or the treasurer of his/her candidate committee has filed all reports required by Chapter 130.

Campaign Campaign Finance Committee

1. **Question:** What is the purpose of a campaign type of campaign finance committee? (Section 130.011 RSMo)

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

Answer: A campaign committee is a campaign finance committee, other than a candidate committee, formed for the sole purpose to receive contributions and make expenditures to support or oppose the qualification and passage of ballot measure(s) in a particular election or for the retention of judges under the nonpartisan court plan.

2. **Question:** Are campaign committees formed for ballot measures to be qualified on the ballot by initiative petition, referendum petition or for a recall petition seeking to remove an incumbent from office required to file campaign finance disclosure reports?

Answer: Yes, campaign committees are required to file regular disclosure reports as stated in §130.046.2 RSMo. **In addition**, these particular campaign committees must file an initial disclosure report fifteen (15) days after the committee begins raising or spending money to support or oppose a ballot measure and must also file a disclosure report no later than fifteen (15) days after the deadline for submitting such petition. See [Campaign Committee](#) brochure.

Candidate Campaign Finance Committee

3. **Question:** What is the purpose of a candidate campaign finance committee? (Section 130.011 RSMo)

Answer: A candidate campaign finance committee is formed by a single candidate for office, for a specific election. Contributions received are used in the specific election to support the candidacy.

4. **Question:** When should a candidate and their candidate campaign finance committee begin maintaining records? (Section 130.041.2 RSMo)

Answer: Candidates and their campaign finance committees are required to begin keeping records when the individual first becomes a candidate. See Section 130.011(4) RSMo, for the legal definition of a candidate under campaign finance law. You should also review the Missouri Ethics Commission brochures available at www.mec.mo.gov and participate in training provided by the Missouri Ethics Commission about the law's record keeping requirements.

5. **Question:** Can a candidate have more than one candidate campaign finance committee, for a specific election? (Section 130.011 RSMo)

Answer: No, a candidate can have only one candidate campaign finance committee formed for a specific office sought.

6. **Question:** If a candidate is successfully elected to public office, can the candidate campaign finance committee continue operating? (Section 130.021.7 RSMo)

Answer: Yes, the candidate committee of a successful candidate can continue operating. Existing committee funds may be used for ordinary and necessary expenses incurred in connection with the duties of office, and the entertaining of or providing social courtesies, professional associations or other duties of election office. Prior to accepting any new contributions, the treasurer must submit an *Amended Statement of Committee Organization* amending the candidate's election date (future election date), office sought, and political subdivision. The candidate and treasurer must sign the *Amended Statement* and mail or hand-deliver the original to the Missouri Ethics Commission and their local election authority (if required).

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

7. **Question:** If a candidate is unsuccessful in the election, what are the next steps the candidate campaign finance committee must take?
- Answer:** The candidate campaign finance committee is required to do one of the following:
- ✓ Terminate the candidate campaign finance committee, if on the 30 Day After Election report, the candidate campaign finance committee has more money on hand than debt (see Question #5 in the [Maintaining a Committee](#) section) **or**
 - ✓ Form a debt service campaign finance committee (see [Debt Service Committee](#) section), if on the 30 day after election report, the candidate campaign finance committee has more debt than money on hand. After a debt service committee is formed, the candidate can then accept contributions to pay off the debt within 18 months.
8. **Question:** Can a candidate campaign finance committee give money to another candidate? (Section 130.011 RSMo)
- Answer:** Yes, a candidate campaign finance committee can give money to another candidate. The contribution would be reported as a contribution made, regardless of the amount.
9. **Question:** Can a candidate campaign finance committee contribute to a continuing committee (political action committee or PAC)?
- Answer:** Yes, a committee can receive money from or give money to any other type of campaign finance committee, including to/from candidate committees and continuing committees (political action or PACS).
10. **Question:** Can a candidate give money to their own candidate campaign finance committee? (Section 130.011, 130.021.2 RSMo)
- Answer:** Yes, a candidate can give money to their own candidate campaign finance committee. The money given would be reported as either a contribution or loan. Any of the candidate's own funds, used in support of the person's candidacy, must be deposited in the candidate campaign finance committee's official fund depository (bank account) and all expenditures must be made through the same official fund depository (bank account). The deposits and expenditures from the official fund depository (bank account) can only be made by the candidate, treasurer or deputy treasurer (if one appointed) of the person's candidate campaign finance committee.
11. **Question:** Can a candidate campaign finance committee be funded completely by a candidate's own funds? (Section 130.011 RSMo)
- Answer:** Yes, the definition of a contribution includes a candidate's own money or property in support of the candidate other than expense of the candidate's own food, lodging, travel, and payment of any fee necessary for filing for public office. All contributions, including the candidate's personal funds, must be deposited in the candidate's campaign finance committee official fund depository (bank account) and reported on campaign finance disclosure reports.
12. **Question:** How can contributions to a candidate campaign finance committee be used? (Section 130.034, RSMo)
- Answer:** In the following ways:
- ✓ For ordinary campaign expenses
 - ✓ For ordinary and necessary expenses made in connection with the elected office holder's duties; this can include the expenses associated with maintaining a local office and staff

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

- ✓ For expenses associated with the candidate/elected official's duties relating to the entertaining of or providing social courtesies to constituents, professional associations, or other elected officials
- ✓ To contribute to a political organization or another candidate campaign finance committee
- ✓ To start a new campaign finance committee
- ✓ To make an unconditional gift, when the contributor or contributor's family receives no direct benefit from to a charitable, fraternal, civic, or other association formed to provide some good; this can include contributing to local fundraisers and charities

NOTE: Contributions may not be used for any personal use or gain.

13. **Question:** Can a candidate loan money to their campaign finance committee? If so, is the loan required to be reported by the campaign finance committee? (Section 130.011 RSMo)
Answer: Yes, a candidate can provide a loan to their campaign finance committee. Any money loaned must be deposited into the candidate's campaign finance committee. The loan must be reported by the campaign finance committee and if over \$100, additional information is required.
14. **Question:** How does a candidate campaign finance committee know the required reports and filing deadlines?
Answer: The Missouri Ethics Commission's website provides various [publications](#) including *Deadlines and Reminders* and election calendars for each election. It is recommended that you consult Chapter 130 RSMo, for the law's requirements and participate in a Missouri Ethics Commission in-person training session or webinar.

Continuing Committee (Political Action Campaign Finance Committee/PAC)

1. **Question:** What is the purpose of a continuing campaign finance committee (political action committee/PAC)? (Section 130.011 RSMo)
Answer: A continuing committee, also known as a political action committee or PAC, is used to support or oppose candidates or ballot issues in any election and can remain in existence beyond any one election/ballot issue. The committee must be formed, controlled, and directed by someone other than a candidate.
2. **Question:** Can a continuing campaign finance committee (political action committee/PAC) remain in existence beyond a specific election? (Section 130.011 RSMo)
Answer: Yes, it has continuing existence and its primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters.
3. **Question:** Can a candidate form, control, and/or direct a continuing campaign finance committee (political action committee/PAC)? (Section 130.011 RSMo)
Answer: No, a candidate for public office cannot form, control, and/or direct a continuing committee (political action committee/PAC).

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

4. **Question:** What types of reports are continuing campaign finance committee (political action committee/PAC) required to file and when?
Answer: See the [Reporting/filing Requirements](#) section for more information.
5. **Question:** What are the reporting dates for continuing campaign finance committee (political action committee/PAC)?
Answer: Continuing campaign finance committee (political action committee/PAC) must report quarterly and for any election in which they participate. Reporting calendars can be found on our website, www.mec.mo.gov.
6. **Question:** Are there restrictions on contributions received by a continuing campaign finance committee (political action committee/PAC)?
Answer: No, a committee can receive money from or give money to any other type of campaign finance committee, including to/from candidate committees and continuing committees (political action committee or PACS).

Debt Service Campaign Finance Committee

1. **Question:** What is a debt service campaign finance committee? (Section 130.037 RSMo)
Answer: Candidates whose campaign finance report, filed 30 days after the election, reflects outstanding debt exceeding their money on hand may convert their candidate campaign finance committee to a debt service campaign finance committee. The debt service campaign finance committee may accept contributions from any person for the retirement of debt. The debt service campaign finance committee must terminate when the contributions received exceeds the amount of debt and must file a final campaign finance disclosure report and cannot be in existence more than 18 months. Any money received in excess of the debt must be returned to the contributors, if known; otherwise such money escheats to the state.
2. **Question:** When does a debt service campaign finance committee report?
Answer: Debt service committees are only required to file quarterly reports, due January 15th, April 15th, July 15th, and October 15th. Upon committee termination, the committee must file a final full disclosure and termination report.

Political Party Campaign Finance Committee

1. **Question:** What is a political party campaign finance committee? (Section 130.011 RSMo)
Answer: A political party campaign finance committee may have continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the actions of voters on behalf of the political party.
2. **Question:** What types of campaign finance disclosure reports are political party committees required to file and when?
Answer: Political party committees must report quarterly and for any election in which they participate. Reporting calendars can be found on our website, www.mec.mo.gov.
3. **Question:** What are the reporting dates for political party campaign finance committees if the committee is not participating in an election?

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

[Main Index](#)

Answer: Political party committees must report quarterly and for any election in which they participate. Reporting calendars can be found on our website, www.mec.mo.gov.

Contribution Limits

1. **Question:** Does Missouri have campaign finance contribution limits that apply to candidates for public office?

Answer: No, effective August 28, 2008, limits on campaign finance contribution amounts were removed from Missouri state law. However, some local municipalities have enacted contribution limits and a candidate should check with their local jurisdiction for any such restrictions in local ordinance or local law.

Campaign Materials Identification Requirements (Paid-for-by)

1. **Question:** What is considered campaign material? (Section 130.031.8 RSMo)
Answer: Any pamphlet, circular, handbill, sample ballot, advertisement including newspaper or other periodical advertisement, sign including signs for display on motor vehicles, or other imprinted or lettered material that is relative to any candidate or ballot measure.
2. **Question:** What are the laws for disclosures on campaign ads and signs? (Section 130.031.8 RSMo)
Answer: Any person publishing, circulating, or distributing campaign material must have the words "Paid for by", followed by proper identification of the sponsor (see table below), on the face of the material in a clear and conspicuous manner.

Who Paid for the campaign material	Required Sponsor Information (following the words "Paid for by")
Candidate from Personal Funds (only if no candidate committee exists)	First name, last name by which the candidate is known <i>Ex: Paid for by (First Name) (Last Name)</i>
Committee	Committee name as required to be registered by Missouri campaign finance law, along with the committee treasurer's name and title (serving when the material was paid for) <i>Ex: Paid for by (Committee Name), (Treasurer Name), Treasurer</i>
Corporation, Business Entity, Labor Org, Other Org (not a committee or organized for influencing election(s))	Name of the entity, entity's principal officer's name, known title, and mailing address of entity or principal officer (if entity has no mailing address)
Individual(s)	Individual(s) name, mailing address(es). If more than 5 may print "for a list of sponsors contact (name, address of one individual responsible for having material printed)". This individual must keep the names and amounts paid by all other individuals.

[Main Index](#)

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

Must use full legal name of person &/or entity.
Cannot use abbreviations or acronyms.

3. **Question:** Do items given away during a campaign, like campaign buttons, have to reflect the paid for by information? (Section 130.031.8 RSMo)

Answer: No, the following do not have to reflect the paid for by information:

- ✓ Items of personal use given away or sold such as campaign buttons, pins, pens, pencils, book of matches, campaign jewelry, clothing or water bottles **that are**
 - Paid for by a candidate or committee supporting or opposing a ballot issue or candidate **and are**
 - Obvious in its identification with a specific candidate or committee **and**
 - The cost of which is reported on campaign finance reports as required by law
- ✓ A news story, commentary or editorial printed by a regularly published newspaper or other periodical without charges to a candidate, committee or any other person.
- ✓ A sign personally printed and constructed by an individual, without compensation from any other person, and is displayed at that individual's place of residence or on that individual's personal motor vehicle.

4. **Question:** What are the campaign identification requirements for broadcast stations (television or radio)? (Section 130.031.9 RSMo)

Answer: Any information transmitted about a candidate for public office or a ballot measure must identify the sponsor in accordance with federal campaign laws. Printed political advertising or broadcasts for federal candidates must comply with federal law requirements for sponsor identification.

5. **Question:** What are campaign material identification requirements for candidates for public office? (Section 130.031.10 RSMo)

[Main Index](#)

Answer: Federal candidates and broadcast stations transmitting material about a federal candidate for public office must follow federal law.

6. **Question.** Do campaign material identification requirements (paid for by) also apply to internet information and/or websites? (Section 130.031.8 RSMo)

Answer: Section 130.031.8 RSMo, states "any person publishing, circulating, or distributing printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify...the person who paid for the printed matter". Printed matter includes any pamphlet, circular, handbill, sample ballot, advertisements, and signs.

The Commission recommends that the campaign material identification requirements specified in Chapter 130 RSMo, be placed on any website pages or information relative to a candidate or ballot measure on a website.

Performing Online Searches

1. **Question:** Can campaign finance reports, filed with the Missouri Ethics Commission, be viewed on the Commission's website?

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

Answer: Yes, a search can be done from our website; go to Campaign Finance [Searches](#) to see all searches and select the search that you wish to use. Enter the information requested (ex: committee name, candidate's last name, or MEC ID#) and select Search to see the results. Select the correct committee in the listing and view any reports the committee filed with the Missouri Ethics Commission. TIP: May need to disable pop-up-blocker.

2. **Question:** Can contributions/expenditures be searched online?

Answer: Yes, a search can be done from our website; go to Campaign Finance [Searches](#) to see all searches and select [Contributions](#), [Expenditures](#), or any search that you wish to use. Enter the information requested and select Search to see the results. TIP: May need to disable pop-up-blocker.

3. **Question:** Can you search the website to see if a committee has been formed or filed with the MEC?

Answer: Yes, a search can be done from our website; go to Campaign Finance [Searches](#) to see all searches and select [Candidate or Committee Name](#) or any search that you wish to use. Enter the information requested (ex: committee name, candidate's last name, or MEC ID#) and select Search to see the results. Select the correct committee in the listing and view any reports the committee filed with the Missouri Ethics Commission. TIP: May need to disable pop-up-blocker.

4. **Question:** Are there any restrictions on using information obtained from the Missouri Ethics Commission or the Commission's website for commercial purposes, such as list development? (Section 130.056(5), RSMo)

Answer: Yes, no information obtained from campaign finance reports and statements can be sold or used for any commercial purposes. The Executive Director makes the reports and statements filed with the Missouri Ethics Commission available for public inspection and copying and permits copying of any report or statements but no information obtained from such reports and statements can be sold or used by any person for commercial purposes.

[Main Index](#)

Miscellaneous

1. **Question:** Can churches post campaign signs on church property?

Answer: A person should check to determine if there are local laws or ordinances, in general, regarding campaign signs. It might also depend on church policy. Any question regarding the impact on the church's non-profit status should be directed to the IRS.

2. **Question:** Does the No Call List apply to political subdivisions calling residents regarding ballot measures?

Answer: Consult the Attorney General's office at 573-751-3321 for information regarding the No Call list.

3. **Question:** If campaign signs are being stolen, who should this be reported to?

Answer: Local law enforcement.

Federal Elections Commission & FCC

1. **Question:** Who regulates television and radio commercials for federal campaigns?

Missouri Ethics Commission
Campaign Finance (Candidates/Committees)
Frequently Asked Questions

UPD 05/02/16

Answer: Regulation of federal elections is by the Federal Election Commission (FEC) and regulation of radio and TV broadcasts is with the Federal Communications Commission (FCC). Section 130.031.10 RSMo provides the sections that do not apply to candidates for federal office, provided that persons causing matters to be printed or broadcasted comply with federal law for identification of sponsorship. Section 130.031.9 RSMo provides that any broadcast station transmitting any matter relative to any candidate for public office or ballot measure must identify the sponsor as required by federal law.